

Claims 16-18 are dependent on claim 14. Claim 14 is a nucleotide vector comprising the nonobvious sequence of claim 1. Since claim 1 and claim 14 are nonobvious, claims 16-18 which include this nonobvious sequence are nonobvious. Therefore, Applicant respectfully requests withdrawal and reconsideration of the claims rejected under 35 U.S.C. § 103(a).

DOUBLE PATENTING REJECTION OF CLAIMS

Claims 1-27, 29-31, and 38-39 were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-29 of U.S. A terminal disclaimer is enclosed herewith to obviate the double patenting rejection.

DOUBLE PATENTING REJECTION

Examiner rejected claim 28 under 35 U.S.C. § 101 as claiming the same invention as that of claim 24 of U.S. patent No. 6, 309, 830 as a double patenting rejection. Applicant cancels claim 28 rendering this rejection moot. This rejection should now be withdrawn.

CONCLUSION

Applicants submit that in light of the foregoing amendments and remarks the claims are in a condition for allowance. Reconsideration is respectfully requested.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.